

EXHIBIT 9

Duncan Crabtree-Ireland

1 UNITED STATES DISTRICT COURT
2 CENTRAL DISTRICT OF CALIFORNIA
3
4 KEVIN RISTO, on behalf)
of himself and all others)
5 similarly situated,)
)
6 Plaintiffs,)
)
7 vs.) Case No. 2:18-cv-
) 07241-CAS-PLA
8 SCREEN ACTORS GUILD-AMERICAN)
FEDERATION OF TELEVISION AND)
9 RADIO ARTISTS, a Delaware)
corporation; AMERICAN FEDERATION)
10 OF MUSICIANS OF THE UNITED STATES)
AND CANADA, a California)
11 nonprofit corporation; et al.,)
)
12 Defendants.)
_____)

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16 DEPOSITION OF DUNCAN CRABTREE-IRELAND

17 CONDUCTED VIRTUALLY

18 TUESDAY, FEBRUARY 16, 2021

19 9:05 a.m.

20

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22 Pages: 248

23 Reported by: Lorie Rhyne, CSR, RPR, CRR

24 Appearing remotely from San Diego, California

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20 Videographer: JENNIFER FRANKLIN

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1 A. Yeah.

2 Q. -- these conversations, I assume, took place
3 all before the vote itself on what the percentages were
4 going to be; right?

5 A. Correct.

6 Q. And when you say the "fee didn't go too
7 high," what other organizations were you aware of that
8 were seeking a percentage of a fund to reimburse them
9 for their costs associated with providing information?

10 MR. THOMAS: Objection. Misstates the
11 testimony. Vague and ambiguous.

12 You can answer.

13 THE WITNESS: Yeah, that wasn't what I was
14 referring to. I was referring to the overall
15 administrative fee charged by other collective
16 management organizations that were engaged in the
17 collection and distribution of royalties, is what I was
18 referring to.

19 BY MR. KIESEL:

20 Q. Thank you. I -- I misunderstood for that.

21 Thank you.

22 Did you ever offer the opinion before the
23 vote that having a set percentage of the fund allocated
24 to the purchase of the data might not be the best way
25 to proceed with compensating the unions for the

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1 expenses associating -- for providing the data?

2 A. Are you asking if I said that to anybody?

3 Q. Yes.

4 A. I don't think I said it in those terms. I
5 know that I did give thought to the question of what
6 the best way to structure the compensation would be,
7 and I may have had some -- you know, may have done some
8 thinking out loud with other people about what the
9 various options were.

10 I do know that by the time, you know, I
11 completed that process, it was my view -- and it still
12 is my view -- that given the circumstances, a
13 percentage fee was the most appropriate way to go about
14 compensating unions for the -- not only the data but
15 also the services that they were providing.

16 Q. Was there ever an attempt before the vote
17 occurred to determine how much time actually was spent
18 by the unions in providing the data to the Fund?

19 A. Not in any kind of formal, you know, time
20 and motion study or anything like that. No.

21 Q. Was there ever an attempt to determine what
22 the actual value was for the data that was being
23 provided to the Fund for their use?

24 A. In terms of sort of specific quantified
25 analysis, not that I'm aware of. But I mean, I do

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1 ACKNOWLEDGEMENT OF DEPONENT

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3 I, DUNCAN CRABTREE-IRELAND, do hereby

4 acknowledge that I have read and examined the foregoing

5 testimony and the same is a true, correct, and complete

6 transcription of the testimony given by me and any

7 corrections appear on the attached errata sheet signed

8 by me.

9

10 
11 DUNCAN CRABTREE-IRELAND
(SIGNATURE)

April 8, 2021

(DATE)

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Duncan Crabtree-Ireland

1 CERTIFICATE OF COURT REPORTER

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3 I, LORIE RHYNE, CSR No. 12905, RPR, CRR, a
4 Certified Shorthand Reporter, for the County of
5 San Diego, State of California, the officer before whom
6 the foregoing deposition was taken, do hereby certify
7 that the foregoing transcript is a true and correct
8 record of the testimony given; that said testimony was
9 taken by me stenographically and thereafter reduced to
10 typewriting under my direction; that reading and
11 signing was not discussed; and that I am neither
12 counsel for, related to, nor employed by any of the
13 parties to this case and have no interest, financial or
14 otherwise, in its outcome.

15 Dated this 25th day of February, 2021.

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LORIE RHYNE

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CSR No. 12905

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